

Framingham Planning Board

Memorial Building • Room B-37 • 150 Concord Street
Framingham, MA 01702-8373
(508) 532-5450 • planning.board@framinghamma.gov



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2015 NOV 20 A 9:08

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FRAMINGHAM

Town Clerk Stamp

Planning Board Members:

Christine Long, Chair
Stephanie Mercandetti, Vice Chair
Lewis Colten, Clerk
Thomas F. Mahoney
Victor A. Ortiz

Planning Board Staff:

Amanda L. Loomis, Planning Board Administrator
Alexander C. Mello, Associate Program Planner

**TOWN OF FRAMINGHAM
PLANNING BOARD**

**Notice of Decision
Regarding the Application of Avidia Bank
for the Property located at 270 Cochituate Road, Framingham, MA**

On August 14, 2015, the Applicant, Town of Framingham, filed with the Planning Board, and on August 14, 2015, the Planning Board filed with the Town Clerk and Town Departments, applications for Major Site Plan Review, Special Permits for Land Disturbance and Drive-thru. The applications were for the construction of an approximately 6,500 square foot bank branch and along with site improvements. The property is located at 270 Cochituate Road, within the Light Manufacturing (M-1) Zoning District and the Regional Center (RC) Overlay District. Said parcel is listed as Framingham Assessor's Parcel ID: 100/347.0-0111-0012.0

After the notice of the public hearing was published in "The MetroWest Daily News" on August 24, 2015 and August 31, 2015 and mailed to parties of interest pursuant to the Framingham Zoning By-law and M.G.L. Chapter 40A, the Planning Board opened the public hearing on September 10, 2015 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham. Continued public hearings were held on September 21, October 8, October 26, November 5, and November 19, 2015.

On November 19, 2015 the Planning Board **APPROVED** with conditions said Applications for Major Site Plan Review, for the property located at 270 Cochituate Road, and a **DECISION** was filed in the office of the Town Clerk on November 20, 2015.

Christine Long, Chair
FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to G.L. Ch. 40A, Sec. 17 and must be filed within twenty (20) days after the date of filing of the Decision in the office of the Town Clerk.

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Planning Board Members:

Christine Long, Chair

Stephanie Mercandetti, Vice Chair

Lewis Colten, Clerk

Thomas F. Mahoney

Victor A. Ortiz

DECISION OF THE FRAMINGHAM PLANNING BOARD FOR THE PROPERTY LOCATED AT 270 COCHITUATE ROAD

DECISION DATED NOVEMBER 19, 2015

THIS DECISION WAS GRANTED UNDER THE OCTOBER 2015 FRAMINGHAM ZONING BY-LAW

TOWN CLERK
FRAMINGHAM

2015 NOV 20 A 9:08

General Property Information

Property Address: 270 Cochituate Road

Assessor's Information: 100/347.0-0111-0012.0

Project Number: PB-010-15

Zoning District/Overlay District: Light Manufacturing (M-1) Zoning District and Regional Center (RC) Overlay District

Application Information

Application(s): Site Plan Review (Major), Special Permits for Land Disturbance and Drive-thru

Sections of the Zoning By-law Under Review: Major Site Plan Review (Section VI.F.2.b) and Special Permits for Land Disturbance (Section V.F.) and Drive-thru (Sections II.B.5.M and V.J.)

Date application(s) were filed with the Planning Board: August 14, 2015

Date application(s) were filed with the Town Clerk: August 14, 2015

General Project Contact Information

Applicant Name: Avidia Bank

Applicant Address: 42 Main Street, Hudson, MA 01749

Landowner Name: CCRT, LLC

Landowner Address: 249 Edmunds Road, Framingham, MA, 01702

Project Contact Name: James D. Hanrahan, Bowditch & Dewey, LLP

Engineer Name: Bert Corey, P.E., Schofield Brothers, LLC

Engineer Company: 1071 Worcester Road, Framingham, MA 01701

Legal Ad & Public Hearing Information

Run dates of the Legal Ad: (14 days prior) August 24, 2015 and (7 days prior) August 31, 2015

Date of abutter/7 Abutting municipality/parties of interest mailing: August 20, 2015

Date of opening public hearing: September 10, 2015

Date(s) of continued public hearings: September 21 (continued without testimony), October 8 (continued without testimony), October 26 (continued without testimony), November 5, and November 19, 2015

Applicant's Representatives in attendance at the Public Hearing(s): Attorney James Hanrahan, Bowditch & Dewey, Gemma Ypparila, Bowditch & Dewey, Ron Quicquaro, Studio Q Architecture, Raymond Murphy, Avidia Bank, Bert Corey, Schofield Brothers, and Robert Michaud, MDM Transportation Consultants, Inc., and Vincent Rico, Rico Associates.

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Stephanie Mercandetti, Vice-Chair, Lewis Colten, Clerk, Thomas Mahoney (filed the Mullin Rule on November 19, 2015 for the November 5, 2015 public hearing), and Victor Ortiz

Planning Board Approval Information

Date of Plan Approved by the Planning Board August 7, 2015, revised through November 19, 2015

PROJECT DESCRIPTION

The project at 270 Cochituate Road proposed to raze the existing Mexican restaurant and to construct a new 6,500sf loan center for Avidia Bank. The new building will be located near Cochituate Road, with a front court yard to provide a pedestrian area and open space feature. The parking will be located to the rear of the site and will provide 37 parking spaces, which includes two handicap accessible spaces. Furthermore, the project includes a drive-thru located on the western side of the building, a drive-thru ATM located in the rear of the parking lot, a new stormwater management system, new landscaping throughout the site, new energy efficient lighting, two bicycle racks, a new dumpster facility, and new signage.

The project is accessible from two existing curb cuts off Cochituate Road (Route 30). The project will maintain the sidewalk along Cochituate Road (Route 30) while providing sidewalks to the entrances of the building. Furthermore, the site will provide pedestrian and urban amenities for both the employees and patrons of the facility. In the front and rear of the building, the Applicant has designed two court yards for the purpose of establishing an inviting, open, usable environment.

Avidia Bank will utilize the facility as the eastern "Hub" for the Bank's commercial, residential, finance, cash management, and merchant services center. This Avidia Bank location will also serve as a retail bank branch and a loan center. The building has been designed to serve all of the stated purposes, with the first floor serving as a traditional bank, and the second floor serving as office and meeting space for the loan related services.

HEARING

The Framingham Planning Board held a total of six public hearings during the review of the Project located at 270 Cochituate Road. Framingham Planning Board Members present during the public hearings held for the Project were Christine Long, Chair, Stephanie Mercandetti, Vice-chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz. During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Attorney James Hanrahan, Bowditch & Dewy, Gemma Ypparila, Bowditch & Dewey, Raymond Murphy, Avidia Bank, Ron Quicquaro, Studio Q Architecture, Bert Corey, Schofield Brothers, Robert Michaud, MDM Transportation Consultants, Inc., and Vincent Rico, Rico Associates.

During the course of the public hearing process, the Planning Board took under advisement all information received from members of the public that provided input during the review of this Project. The Planning Board arrived at this Decision based on the Framingham Zoning By-law, information submitted by the Applicant, comments from town boards and officials, and members of the public. Findings from the application and public hearing process resulted in the development of the conditions contained within this Decision.

FINDINGS

Major Site Plan Review, Section VI.F.2.b.

Section VI.F.6.a. Retain Community Character

The site at 270 Cochituate Road contains an existing building that was previously used and designed as a Mexican restaurant. The existing building is located along the western boundary of the property, with the parking located to the front, side, and rear of the site. The existing building is not currently compatible with the character or design of Cochituate Road (Route 30). The site currently contains limited landscaping, with over 85 percent of the site being impervious surface. The existing buildings along Cochituate Road (Route 30) have been constructed of brick, vinyl, and/or wood material, in addition to heavy landscaping along the frontage and within the property. Therefore, to reinforce the Town's efforts to redevelop sites, where buildings are located in the front of the site, parking to the side or rear of the site, and landscaping that is both native and drought tolerant, the Applicant has designed the site to meet these desired site design requirements. The Applicant will raze the existing building and construct a new financial loan center. The new building will be constructed of glass, brick,

wood, and metal paneling on the exterior of the building, which is consistent with building structures located on Cochituate Road (Route 30).

The site currently does not contain any historic features, contains limited landscaping, and is heavily overburdened with a number of parking spaces. The new building will be constructed and landscaped to better fit in within the roadway, with the exception of providing more eclectic, updated architectural features.

Section VI.F.6.b. Traffic, Parking, and Public Access

The Applicant has provided a traffic report. The project is expected to generate approximately 39 new vehicle trips during peak hours. The financial institution is estimated to generate approximately 252 daily vehicle trips on weekdays and approximately 114 vehicle trips on a Saturday; the financial institution will be closed on Sunday. Based on the previous use as a restaurant, the financial institution is expected to generate a nominal net increase of approximately one additional trip every two to three minutes along Cochituate Road.

Based on the review of the crash data, crash data for this area notably exceeds the district average. Therefore, some form of safety counter-measures may be warranted as identified in the Applicant's traffic report. The lines of sight have been reviewed, and the Applicant's traffic report indicates that the existing available sight lines exceed AASHTO's recommended SSD criteria along Route 30. The Applicant's traffic report further provides analysis for the lines of sight at the intersections and notes that looking east from the proposed site driveway on Route 30 exceeds the recommended minimum sight line requirement. To ensure lines of sight are maintained for the property, the Applicant's traffic engineer recommends that any plantings or physical landscape features that are to be located within the driveway sight lines should be maintained at a height of two feet or less above the adjacent roadway grade.

The proposed use requires one parking space per 175sf of gross floor area for customer service areas, and one space per 250sf of gross floor area not devoted for customer service. The new use will require a total of 29 parking spaces which is a significant decrease compared to the previous use's 90 parking spaces. To ensure adequate accommodations are provided for all services offered by the facility, the Applicant proposes to construct 37 off-street parking spaces (including 2 handicap spaces). Consequently, as this use is an atypical financial institution, the Planning Board will allow the maximum number of parking spaces to be constructed at 125% of the required minimum off street parking spaces. In the event that the Applicant does not require the additional parking spaces, the Applicant shall landbank the spaces in the rear, those spaces being closest to the ATM.

The Town has recently adopted bicycle parking space requirements of 2 bicycle spaces per 10 off street parking spaces. Therefore, the Applicant shall be required to provide a total of 8 bicycle parking spaces on-site. Such parking spaces shall be constructed in accordance with Section IV.B.7. of the Framingham Zoning By-law.

The Applicant is working with the abutting property to create a driveway connection between the properties. This connection would allow patrons of the post office to access Avidia without entering and then exiting onto Cochituate Road to run their errands. This feature is still in the development phase. If this connection were to be formalized, the Applicant would modify the approved plan and provide written documentation to the Planning Board of such connection.

Section VI.F.6.c. Environmental Impact

The site has been designed to decrease the amount of impervious surface from 87.6 percent coverage to 72.5 percent, which is a 17.2 percent decrease. The site does not contain any wetlands, vernal pools, or related natural features. The Applicant proposes extensive landscaping, which includes an increase in pervious landscaped area from 12.4 percent to 27.5 percent.

Section VI.F.6.d. Health

The project does not pose adverse impacts on air-quality, noise, glare, or odors. The site does not create a hazard to abutters, vehicles, or pedestrians. There shall be no handling or disposal of hazardous materials on the site. The site does provide patio and open space areas for employees, patrons, and the community. This allows the site to meet the needs of both Avidia and the community, as Avidia creates a community space for all users.

Section VI.F.6.e. Public Services and Utilities

The site is serviced by public water and sewer. The new use puts less strain on Town infrastructure compared to a restaurant. A restaurant is typically a high water and sewer user. The new building will be constructed to meet the stretch code and utilization of best management practices. Lighting throughout the site utilizes LED lighting practices.

Section VI.F.6.f. Land Use Planning

The land use is consistent with both the Framingham Zoning By-law and the Town Master Land Use Plan. The Applicant is working with the abutting property to create a connection for vehicles to access both sites without having to enter and exit Cochituate Road.

The Applicant has created two patio and/or open space areas in addition to increased landscaping which utilizes native and drought tolerant plantings, all of which are consistent with the Zoning By-laws.

Special Permit for Drive-thru Facility, Section II.B.5.M and V.J

The Applicant has applied for a special permit for an accessory drive-thru for financial institution, under Section II.B.5.M and V.J. A drive-thru associated with a financial institution is permitted by a special permit from the Planning Board. The Applicant has designed the drive-thru in accordance with Section V.J. of the Zoning By-law.

The drive-thru has been designed to provide the required minimum of three stacking spaces before the transaction service. The drive-thru only contains one stacking lane. The required three stacking spaces do not conflict with off-street parking spaces, delivery operations, vehicle drive lanes, access or egress to the site, or pedestrian maneuvering.

The site also contains a drive-thru ATM, which is located to the north of the parking lot, separate from the building. The drive-thru ATM has been designed to provide separation between the drive aisle and the queuing lane. During the public hearing process, the Applicant stated that the bank is providing a new app for smart phones which would allow a patron to prepare the transaction prior to getting in line for the ATM. The Applicant further stated that this new app would decrease the amount of wait time and the length of ATM queuing as well.

Land Disturbance, Framingham Zoning By-law, Section V.F.

Section IV.F.e.(1) Site Management and Control

The Applicant shall install erosion and sediment controls prior to the start of construction, and shall remain in place until after the completion of the project. The erosion and sediment controls shall be checked prior to start and end of each construction day. Any significant weather event that potentially impacts the operation of such controls shall require immediate inspection of such erosion and sediment controls. In the event of a multi-day storm event that prevents work, the Applicant shall be required to check on the erosion and sediment controls to ensure that such controls remain intact. In the event that an erosion and sediment control is in disrepair, the Applicant shall repair and/or replace the defect to ensure that the controls are in proper working order.

During construction the Applicant proposes to install appropriate stormwater management and dust controls. Catch basins will be protected with silt sacks during construction to prevent sediment from entering into the drainage system. The Applicant shall also install a temporary gravel apron that is a minimum of 15' wide and at

least 25' long at the access point of the site to prevent unstable materials from being transported onto the roadway.

Section IV.F.e.(2) Control of Stormwater

The Town requires, whenever possible, that projects retain the natural topography of the site to reduce unnecessary land disturbance and preserve natural drainage patterns. The site in its existing condition has been completely graded with a slope that does not exceed a two percent gradient. The site currently drains to several catch basins located within the expansive paved parking lot. The catch basin system connects to a drain manhole located within the public right of way in Cochituate Road. Other than the catch basin sumps, there are no formal stormwater treatment systems or best management practices upon the site. Furthermore, the site does not contain any recharge facilities or pervious surfaces to allow for recharge.

The soils on-site are classified as a Group C, which is a moderately well drained soil on glacial till uplands, name: Woodbridge soil, 0 to 8 percent slopes.

The existing site is approximately 87.6 percent impervious (45,964 sf), under the proposed redeveloped of the site, the amount of impervious area will decrease to 72.5percent impervious or 38,083sf, which results in a 17.2 percent reduction in impervious area compared to the existing conditions. The redevelopment of the site will include the installation of two recharger units that shall collect roof runoff. The two rechargers will take approximately 3 hours to infiltrate the stormwater back into the ground.

The existing parking lot catch basins are an in-line configuration and receive flow from not only the immediate parking area but also from off-site drainage collection systems. This is not a preferred method, since it allows contamination of the stormwater. The redevelopment of the site and the installation of the new stormwater management system and the increase in landscaping will allow for 88 percent TSS removal. The new system includes a deep sump catch basin and an underground infiltration system (roof rechargers). It should be noted that the deep sump catch basins are not efficient enough to provide efficient pollutant removal alone, but are an improvement over the conventional catch basins and are effective as a pretreatment device for other stormwater MPD's which they will be part of in this case.

The underground infiltration system will be constructed of precast concrete units, surrounded by washed stone, and filter fabric. This system will collect the roof runoff prior to infiltration. This portion of the system will be constructed in natural, permeable soil suitable for infiltration. Overflows will occur in the event that the storage volume is exceeded.

The Applicant has provided a Stormwater Operation and Maintenance Plan for the project. The Stormwater Report, Long Term Pollution Prevention Plan, and the Stormwater Operation and Maintenance Plan have been reviewed by the Department of Public Works and no comments were provided. Based on the preconstruction and post-construction peak flow and volumes, there will be a decrease for all storm events. Post-construction stormwater management as shown in the Stormwater Report reduces the peak flow rate which is required under Section V.F.e.(2) of the Framingham Zoning By-Law.

Section IV.F.e.(3) Protection of Natural Features and Vegetation

To the best of the Applicant's knowledge the site does not contain any endangered species, wildlife habitats or corridors, natural landscaped features, scenic vistas or views. The proposed financial institution has been positioned and designed on the site to blend with the surrounding commercial area. The surrounding commercial area is predominately retail, office, and fast food restaurants, in addition to the post office, and Shoppers World. The site is surrounded by large parking lots which contain limited landscaping.

The existing building on the site will be razed and replaced by a new energy efficient building. The removal and reconstruction of the building will not affect wetlands, vernal pools, or natural habitats. The property contains no wetlands or vernal pools.

During clearing and/or construction activities, all vegetation which shall be retained onsite shall be protected with temporary protective fencing or other measures, prior to the start of construction. The Applicant will be installing all new native or drought tolerant plantings throughout the site. The landscape coverage post construction will be significantly greater than preconstruction.

In the event that blasting or compaction is required to clear and/or level the site, the Applicant shall follow the proper State protocol for blasting. The Applicant shall notify both the Planning Board and the Fire Department of such events.

Section IV.F.e.(4) Protection of Historic Resources

The site contains no historic or significant natural features.

CONDITIONS OF APPROVAL

The Planning Board finds that the Application and Plans submitted by the Applicant comply with all applicable provisions of the Town's By-Laws, relevant to this review. Accordingly, the Planning Board votes are pursuant to relevant provisions of the Town By-Laws that include Major Site Plan Review (Section VI.F.2.b) and Special Permits for Land Disturbance (Section V.F.) and Drive-thru (Sections II.B.5.M and V.J.) pursuant to the Framingham Zoning By-laws to approve the site plan application. Said approval from the Planning Board is subject to the following conditions:

General Provisions

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator, Building Commissioner, and the Town Engineer to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given 48 hour written notice. If activity on the Property ceases for longer than 30 days, 48 hour written notice shall be given to the Planning Board Office prior to restarting work.
3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and emergency contact telephone number of the individual or individuals who shall be responsible for all activities on site and who can be reached 24 hours a day, seven days a week.
4. A copy of this Decision shall be kept on the Property.
5. Prior to the issuance of any building permit, an electronic copy of the approved Site Plan shall be provided to the Planning Board Office for distribution to Town Departments, in order to be reviewed for compliance with this Decision. The Site Plan shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the Site Plan, the Decision shall take precedence.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.

8. The Applicant shall record this Decision with exhibit(s) at the Middlesex South Registry of Deeds prior to the issuance of a building permit, after the required appeal period has lapsed in accordance with MGL, Chapter 40A, Section 17. The Applicant will submit proof of recording to the Planning Board. Failure to record the decision or comply with the conditions of approval herein shall render this Decision null and void.
9. This approval for Major Site Plan Review and Special Permits for Land Disturbance and Drive-thru shall lapse within two years from the date the Decision is recorded at the Middlesex South Registry of Deeds, not including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause as determined by the Planning Board.
10. The failure to comply with the By-laws and/or the terms of this Decision may result in revocation of the permit for Major Site Plan Review and Special Permits for Land Disturbance and Drive-thru permit issued hereunder. The Planning Board shall by first class mail send the owner written notification of any failure to comply with the By-law and/or the terms of this Decision. If the owner believes that it is not in violation, it may request and will be granted an opportunity to attend a Planning Board meeting to try to resolve the alleged violation. If within 30 days from the date of mailing of said notice, the owner has not resolved the matter with the Planning Board, or remedied the alleged violation, it shall be grounds for revocation of the approvals issued hereunder. At the expiration of the 30 day period, the Planning Board after a duly noticed public hearing, including notice to the owner by first class mail, may revoke the approvals issued hereunder if it finds by a four-fifths vote that there has been a violation of the By-law and/or the terms of this Decision and that the owner has failed to remedy it; alternatively, the Planning Board may continue the public hearing, or by a four-fifth vote extend the time period in which the violation may be corrected.
11. Prior to the issuance of the building permit, the Applicant shall provide all documents and information requested by the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with, all conditions of this approval.

Infrastructure/Site Design/Landscaping

12. Prior to the issuance of a use and occupancy permit, the Applicant shall either substantially complete the landscaping improvements shown on the approved landscaping plan or post a performance guarantee in accordance with this decision. All on-site landscaped buffer areas shall be maintained in good condition in perpetuity so as to present a healthy and neat appearance. The Applicant shall follow regularly scheduled routine maintenance. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for approval and implementation upon approval.
13. The Applicant will provide regular maintenance of all facilities. The Applicant shall maintain all on-site drainage in working condition at its own expense, which shall include inspecting the catch basins twice annually (spring and fall) and cleaning, if necessary, to remove sediment.
14. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
15. Any dumpster or dumpster enclosure, as shown on the Final Approved Site Plan shall remain closed and locked except when trash deposit, removal and pickup operations are being conducted.
16. The Applicant shall maintain the landscaping in perpetuity to ensure lines of sight are not blocked on Cochituate Road (Route 30).
17. The Applicant shall construct all improvements in compliance with all applicable state and federal regulations with respect to the design of any architectural access features required under the Americans with Disabilities Act (ADA) and with 521 CMR Architectural Access Board Rules and Regulations.

Site Construction

18. The Applicant shall perform daily cleanup of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.
19. Outside construction hours are to be between 7:00 AM and 5:30 PM Monday through Friday and 8:00 AM and 4:00 PM on Saturday. Absent emergency conditions, no construction is permitted on Sunday or holidays. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours. No vehicles are to arrive at the construction site before the designated construction hours, which includes no vehicle parking, standing or idling on adjacent public streets.
20. Any work within the public right of way shall be required to have a police detail during the duration of said work for the purpose of public safety.
21. In the event of blasting or compaction during the construction phase, the Developer's Blasting Operator shall provide seven days advance notice of the commencement of blasting operations by certified mail to those property owners entitled to a pre-blast inspection pursuant to 527 CMR 1.00 et seq. Copies of said mailing shall be furnished to the Planning Board and the Framingham Fire Department. Copies of the blasting monitoring reports, noting any vibrations in excess of that allowable by regulation, shall be mailed to the above-referenced property owners, Planning Board and the Framingham Fire Department at the termination of blasting operations. The Blasting Operator shall provide notice to the Planning Board and the Framingham Fire Department of any reported damage to real property. The Blasting Operator shall post a Blasting and/or Compaction Notice Sign in a conspicuous location along the roadway to inform the public of the proposed blasting for the property. Said Blasting Notice Sign shall be posted at least ten days prior to any blasting on-site and abutters notified within 300' of the property. Applicant shall notify all abutting residents of such blasting and/or compacting event at the time said notice is posted in a conspicuous location.
22. The Applicant shall protect any vegetation, which shall remain post-construction with temporary protective fencing or other measures, prior to the start of construction.

Environment

23. The stormwater drainage system for the Project shall be in accordance with the Massachusetts Department of Environmental Protection Stormwater Policy relating to water quality and flood control using Best Management Practices as the standard of performance.
24. All stormwater and erosion control management shall be checked prior to the start and finish of each work day.
25. The Applicant shall check all stormwater features prior to and at the end of each construction day. A multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any repairs or adjustments or deficiencies shall be made immediately.
26. The Applicant shall provide appropriate erosion control methods such as silt fences and straw wattles around the stock piles in case of a storm event, in addition to the temporary dust control requirements.
27. The Applicant shall provide straw wattles and other erosion control methods at the base of the driveway during off-construction hours to prevent runoff and erosion from getting onto the public way.
28. Snow storage shall be on-site in the snow storage areas designated on the Final Approved Site Plans. Snow storage shall not obstruct sight lines to preserve public safety and Applicant must remove excess snow from the site as may be necessary within forty-eight hours after the snow fall ends, in order to preserve public safety.

Framingham Department Review

29. The Applicant shall comply with all directives requested in the correspondence from the Department of Public Works dated September 14, 2015.

30. The Applicant agrees to install a Master Box and appropriate fire alarm system as required by the Framingham Fire Department as outlined in the correspondence dated September 28, 2015.
31. Sidewalks throughout the site shall be constructed be accessible by all pedestrian users, as requested in the correspondence received from the Framingham Department of Building & Wire.

Special Provisions/Periodic Conformance Reporting and Review

32. The Applicant shall provide the following performance guarantees for the Project.
 - a. Prior to the issuance of any final use and occupancy permit, the Applicant shall post a performance guarantee satisfactory to the Planning Board for all improvements including landscaping, which are incomplete or not constructed, in an amount not to exceed the cost of such improvements.
 - b. Upon completion of the project and prior to the request for a final use and occupancy permit, the Applicant shall provide the Planning Board with "As Built Plans" which shall be reviewed by the Planning Board Administrator, for certification that the landscaping has been planted substantially in accordance with the approved Landscape Plan, at which time a Landscape Maintenance Bond shall be required.
 - c. The Applicant shall provide to the Town of Framingham a Landscape Maintenance Bond in the sum of 20 percent of the total landscape cost to replace any trees which are improperly pruned or dead trees, shrubs or lawn areas, as shown on the approved Landscape Plan, which shall be posted for a period of two years commencing with the completion of the landscaping and certification of the Landscape Plan, as required above.
33. Prior to the issuance of a final use and occupancy permit, the Applicant shall submit an as-built plan stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plan in a form acceptable to the Town of Framingham, Department of Public Works, Engineering & Transportation Division (DPW). The as-built plan shall be submitted in both hard copy and electronic formats (PDF and AutoCAD). The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Town of Framingham DPW. The plan shall include but not be limited to site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to DPW a minimum of 5 business days in advance of the Applicant seeking a final certificate of occupancy sign-off to allow time for DPW review and approval of submitted information. The Applicant shall also submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.
34. The Applicant agrees to maintain any plantings or physical landscape features located within the driveway sight lines should be maintained at a height of two feet or less above the adjacent roadway grade.
35. The Applicant shall reconstruct the sidewalk along Cochituate Road that runs along the property boundary as part of the project. Furthermore, the Applicant shall install ADA compliant warning panels at each side of the property entrances/exits.
36. The Applicant shall join the MetroWest Transportation Management Association. The Applicant shall designate a Transportation Coordinator to implement a Transportation Demand Management Program to promote vehicle trip reduction measures including, but not limited to, ridesharing, bicycle use, public transportation, and monetary incentives. The Transportation Coordinator shall provide copies of the TDM Report filed with the Commonwealth of Massachusetts.

37. The Applicant shall prohibit pedestrians or persons not in motorized vehicles to be served via the drive-thru window. All persons attempting to utilize the drive-thru not in a motorized vehicle will be directed to utilize the inside order stations within the building.
38. The Applicant shall monitor the outside patio area during all hours of operation.
39. Bicycle racks and sidewalk amenities shall be installed to not limit movements for all users throughout the site.
40. If the connection between the Post Office and Avidia Bank becomes formalized, the Applicant will submit such modification to the approved plan and provide written documentation to the Planning Board of such connection.
41. The Applicant shall install eight bicycle parking spaces within the site, which are in compliance with Section VI.B.7. of the Framingham Zoning By-Law and are not located in areas that create a hazardous condition for vehicles, pedestrians, and bicyclist.
42. Prior to the issuance of the Building Permit the Planning Board shall review and approve the materials and colors of the exterior of the building.

WAIVERS

The Applicant has requested the following waivers:

- Sections III.E.8.i and VI.F.5.e.7: the Applicant has requested a waiver from the requirement of a landscaped buffer of at least ten feet adjacent to buildings on every side which contains a public access point. The Applicant states that the new building is designed to provide an eastern facing entrance, adjacent to a public plaza focused around a landscape planter. The property is unusually narrow and imposition of this requirement along the eastern elevation would significantly interfere with construction and operation of safe vehicular driveways.
- Sections III.E.8.i and VI.F.5.e.7: the Applicant has requested a waiver from the requirement which requires that no vehicle travel lane be located less than five feet from a building. The Applicant states that while no landscaping is proposed in other locations around the new building, a five foot wide strip is provided along the western elevation. A separation from the new building to the drive-thru travel land of five feet would present an impractical reach length for customers using the teller window.
- Sections IV.E.3.e. and V.F.d.1.d: the Applicant has requested a waiver from the By-law which requires the use of National Geodetic Vertical Datum (NGVD) for 2-foot contours. The Applicant states that as provided on its Existing Conditions Plan, the Applicant has used assumed vertical datum and 1-foot contours because the Property features relatively flat topography.

The Planning Board voted five in favor and zero opposed to the granting the requested waivers for the requirements of Sections III.E.8.i, VI.F.5.e.7., VI.E.3.e., and V.F.d.1.d of the Framingham Zoning By-Law.

Christine Long.....yes
 Stephanie Mercandetti.....yes
 Lewis Colten.....yes
 Thomas F. Mahoney.....yes
 Victor Ortiz.....yes

VOTES

Special Permits for Land Disturbance (Section V.F) and Drive-thru associated with a financial institution pursuant to the Framingham Zoning By-laws

The Planning Board voted five in favor, zero opposed, and zero abstention to grant approval for the special permits for Land Disturbance and Drive-thru associated with a financial institution pursuant to the Framingham Zoning By-Laws to allow the Applicant, Avidia Bank to construct an approximately 6,500sf two story building to serve as a financial institution, with a drive-thru facility, and associated site improvements at the property located at 270 Cochituate Road as shown on the Site Plan dated August 7, 2015, revised through November 19, 2015.

Christine Long.....yes

Stephanie Mercandetti.....yes

Lewis Colten.....yes

Thomas F. Mahoney.....yes

Victor Ortiz.....yes

Major Site Plan Review (Section VI.F.b.2) pursuant to the Framingham Zoning By-laws

The Planning Board voted five in favor, zero opposed, and zero abstention to grant approval of a permit for Major Site Plan Review pursuant to the Framingham Zoning By-Laws to allow the Applicant, Avidia Bank to construct an approximately 6,500sf two story building to serve as a financial institution, with a drive-thru facility, and associated site improvements at the property located at 270 Cochituate Road as shown on the Site Plan dated August 7, 2015, revised through November 19, 2015.

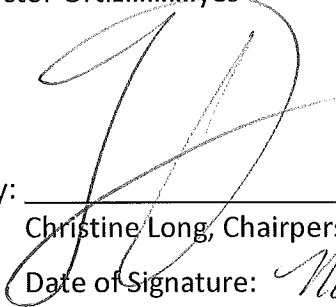
Christine Long.....yes

Stephanie Mercandetti.....yes

Lewis Colten.....yes

Thomas F. Mahoney.....yes

Victor Ortiz.....yes

By: 
Christine Long, Chairperson Framingham Planning Board

Date of Signature: *November 20, 2015*

EXHIBITS

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports required under the requirements of the By-Laws. During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various Town Departments that reviewed the Project. These plans, reports and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. Form A – Application Cover Letter, 270 Cochituate Road, stamped with the Town Clerk on August 14, 2015, Project Number: PB-10-15
2. Form E – Site Plan Review Application, 270 Cochituate Road, stamped with the Town Clerk on August 14, 2015, Project Number: PB-010-15
3. Form J – Special Permit for Land Disturbance, 270 Cochituate Road, stamped with the Town Clerk on August 14, 2015, Project Number: PB-010-15
4. Form L – Special Permit for Drive-thru, 270 Cochituate Road, stamped with the Town Clerk on August 14, 2015, Project Number: PB-010-15
5. Development Impact Statement of Avidia Bank for property located at 270 Cochituate Road, Framingham, for the owner: CCRT, LLC, prepared by Attorney James Hanrahan and Attorney Katherine Garrahan
6. Stormwater Report for #270 Cochituate Road, Framingham, MA, Applicant: Avidia Bank, prepared by Schofield Brothers LLC, dated August 7, 2015
7. Site Plans for 270 Cochituate Road, prepared for Avidia Bank c/o Raymond A. Murphy III, prepared by Schofield Brothers LLC, dated August 7, 2015, revised through November 5, 2015.
8. Architectural renderings for the project located at 270 Cochituate Road, prepared by Studios Q Architecture, dated August 10, 2015
9. Letter of response from Studio Q Architecture, RE: City of Framingham Question – “Design and Location of Proposed Mechanical Units (including HVAC) and Written Noise Summary Related to Mechanical Systems” Avidia Bank Site, 270 Cochituate Road, Framingham, MA, dated September 8, 2015
10. Traffic Report prepared by MDM Transportation Consultants, Inc., dated July 22, 2015
11. Letter from Attorney Katherine Garrahan, RE: Application of Avidia Bank for Site Plan Review and Special Permits, 270 Cochituate Road, Framingham, MA (“Property”) – with attached light details, dated November 5, 2015
12. Letter of response from Attorney James Hanrahan, RE: Application of Avidia Bank for Site Plan Review and Special Permits – 270 Cochituate Road, Framingham, MA (“Property”), dated November 16, 2015
13. Site and Massing Renderings, prepared by Studio Q Architecture, dated September 2, 2015

The Planning Board received correspondence various Town Departments who review the project. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Land Disturbance Checklist for Application Submittal, project located at 270 Cochituate Road, dated August 14, 2015, stamped with the Town Clerk on August 14, 2015

2. Special Permit and Site Plan Review Checklist for Application Submittal, project located at 270 Cochituate Road, dated August 14, 2015, stamped with the Town Clerk on August 14, 2015
3. Letter of comment from the Framingham Department of Public Works, RE: Preliminary Technical Review Comments, 270 Cochituate Road, Framingham, dated July 22, 2015
4. Framingham Police Department, correspondence received via ACCELA on August 20, 2015
5. Letter of comment from the Framingham Conservation Commission, Subject: 270 Cochituate Road – Conservation Review, dated August 31, 2015
6. Department of Building & Wire, correspondence received via ACCELA on September 3, 2015
7. Letter of Comment from the Framingham Department of Public Works, RE: Proposed Avidia Bank, 270 Cochituate Road, Framingham, dated September 14, 2015
8. Community & Economic Development Department, correspondence received via ACCELA on September 15, 2015
9. Framingham Fire Department, correspondence received via ACCELA on September 28, 2015